

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

Dennis Christian,)	
)	
Plaintiff)	
)	Case No. 3:08-1025
v.)	Judge Trauger
)	
Davidson Transit Organization, et al.)	
)	
Defendants)	

Denial of Bill of Costs

Pending are what appear to the Clerk to be two Bills of Costs filed by Defendant Davidson Transit Organization (Docket Entries 52&53). The Clerk has considered both Bills of Costs together as one for the purposes of making this determination. The Clerk notes the date and time stated for presentation to the Clerk is the same date the Bill of Costs was filed and served upon Plaintiff. That renders the filing defective under Local Rule 54.01(a) since the rule requires the date for presentation be “no sooner than seven (7) days from the date of service.” It is not sufficient that Defendant states in an affidavit attached to the first Bill of Costs (Docket Entry No.52-5) that Defendant “told Plaintiff’s counsel, more than five (5) days in advance, that the concurrently filed bill of cost’ “would be presented to the Clerk on Tuesday, January 5, 2009, at 5:00 p.m.” The Clerk notes first that the time period of five (5) days is insufficient under the current Local Rule, and further notes that having “told Plaintiff’s counsel” also fails to meet the requirements of LR 54.01(a).

Accordingly, the Clerk denies the Bill of Costs.

s/ Keith Throckmorton
Keith Throckmorton
Clerk of Court